

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.T.RAVIKUMAR

FRIDAY, THE 22ND DAY OF MAY 2015/1ST JYAISHTA, 1937

WP(C).No. 14522 of 2015 (M)

PETITIONER(S):

THILAKAN.E.K,
ASSISTANT ENGINEER (ELECTRICAL)
KERALA STATE ELECTRICITY BOARD LIMITED
110 KV SUB STATION, TRANSMISSION CIRCLE, IRINJALAKUDA
THRISSUR DISTRICT

BY ADVS.SRI.ELVIN PETER P.J.
SRI.T.G.SUNIL (PRANAVAM)
SRI.K.R.GANESH

RESPONDENT(S):

1. THE KERALA STATE ELECTRICITY BOARD LIMITED
REPRESENTED BY ITS CHAIRMAN & MANAGING DIRECTOR
VAIDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM 695004
2. THE SECRETARY
KERALA STATE ELECTRICITY BOARD LTD.
VAIDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM- 695004
3. THE CHIEF ENGINEER (HRM)
KERALA STATE ELECTRICITY BOARD LTD.
VAIDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM- 695004
4. THE DEPUTY CHIEF ENGINEER (TRANSMISSION CIRCLE)
KERALA STATE ELECTRICITY BOARD LTD.
TRANSMISSION CIRCLE, VAIDYUTHI BHAVANAM, KOTTAPPURAM
THRISSUR, PIN 680021

BY SRI.K.S.ANIL, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22-05-2015,
ALONG WITH WPC. 14540/2015, THE COURT ON THE SAME DAY DELIVERED
THE FOLLOWING:

WP(C).No. 14522 of 2015 (M)

APPENDIX

PETITIONER(S)' EXHIBITS :

P1:TRUE COPY OF THE ORDER DATED 30.05.2013 ISSUED BY THE KERALA STATE
ELECTRICITY BOARD.

P2:TRUE COPY OF THE SENIORITY LIST OF ASSISTANT ENGINEERS (ELECTRICAL)
PUBLISHED BY THE 3RD RESPONDENT.

P3:TRUE COPY OF THE COMMUNICATION DATED 04.05.2015 ISSUED BY THE 4TH
RESPONDENT TO THE 3RD RESPONDENT.

P4:TRUE COPY OF THE REPRESENTATION DATED 30.04.2015 SUBMITTED BY THE
PETITIONER BEFORE THE 3RD REPENDENT.

P5:TRUE COPY OF THE ANNEXURE ATTACHED TO EXT P4.

P6:TRUE COPY OF THE REVISED SENIORITY LIST OF ASSISTANT ENGINEERS
(ELECTRICAL) PUBLISHED BY THE 3RD RESPONDENT.

RESPONDENT(S)' EXHIBITS:NIL

//TRUE COPY//

P.A.TO JUDGE

C.T. RAVIKUMAR, J.

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W.P.(C) Nos.14522 & 14540 OF 2015

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Dated this the 22nd day of May, 2015

JUDGMENT

The petitioner in the former writ petition is presently working as Assistant Engineer (Electrical) at Transmission Circle, Irinjalakuda and the petitioner in the latter writ petition is presently working as Assistant Engineer (Electrical) at Electrical Circle, Irinjalakuda under the Kerala State Electricity Board (for short the 'Board'). Essentially, the grievance of the petitioners is against the revised seniority list of Assistant Engineer (Electrical) published by the third respondent for effecting transfer in violation of Ext.P1 norms (in the latter writ petition) of transfer. According to the petitioners, in the matter of preparation of the said list, illegality crept in, inasmuch as the period rendered by them at places in the plains was reckoned along with the period spent at Generation Station. The petitioner in the former writ

petition filed Ext.P4 representation before the third respondent on being aggrieved by the preparation of seniority list and seeking for revision taking into account his objection. The petitioner in the latter writ petition filed Ext.P3 representation raising such grievance and relief. It is apprehending their transfer before considering the said representations that these writ petitions have been filed. Since the grievances of the petitioners are similar and that they are raised against the same respondents, these writ petitions are taken up for joint consideration and disposal.

2. When these writ petitions came up for consideration on 15.5.2015, this Court passed interim orders directing the respondents to maintain status quo as regards the petitioners' present posting. When these matters are taken up for consideration today, the learned Standing Counsel appearing for the Board handed over a copy of the Minutes of the meeting regarding General Transfer-2015 of Assistant Engineer (Electrical) & Assistant Executive Engineer (Electrical) under the Board. Going by the same, it is evident that the Board has

given approval for considering the generating stations service separately in the district seniority in the case of all remote generating stations. It is submitted by the learned standing counsel that if such a course is adopted for preparing the seniority list for the purpose of effecting transfer, the grievance of the petitioners would be redressed. The learned counsel for the petitioners would also endorse the said submission. In such circumstances, these writ petitions are disposed of directing that the interim orders passed by this Court on 15.5.2015 in respect of the petitioners shall be maintained till their seniority is properly fixed in tune with the aforesaid decision of the Board for the aforesaid purpose. Needless to say that the transferability of the petitioners in the general transfer would depend upon fixation of their position in the list, in terms of the aforesaid decision.

Sd/-
C.T. RAVIKUMAR
(JUDGE)

spc/

C.T. RAVIKUMAR, J.

JUDGMENT

September, 2010